

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAUL ESCARCEGA,
Petitioner,

No. C 06-3693 SI (pr)

ORDER

v.

A. P. KANE, warden,
Respondent.

Respondent's motion to dismiss the action based on petitioner's failure to pay the filing fee is DENIED as moot. (Docket # 6.) Although it was very tardy, the filing fee eventually was paid on February 27, 2007.


In light of the denial of the motion to dismiss, the court replaces the briefing schedule in the order to show cause with the following new briefing schedule for this habeas action:

1. Respondent must file and serve his answer to the petition on or before **April 6, 2007**.

2. If petitioner wishes to respond to the answer, he must do so by filing a traverse with the court and serving it on respondent on or before **May 18, 2007**.

IT IS SO ORDERED.

DATED: February 28, 2007



SUSAN ILLSTON
United States District Judge